



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/271,502	03/18/1999	TAKASHI HONDA	450100-4811	4228

20999 7590 05/30/2003

FROMMER LAWRENCE & HAUG
745 FIFTH AVENUE- 10TH FL.
NEW YORK, NY 10151

EXAMINER

TRAN, THAI Q

ART UNIT	PAPER NUMBER
----------	--------------

2615

DATE MAILED: 05/30/2003

9

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/271,502

Applicant(s)

HONDA, TAKASHI

Examiner

Thai Tran

Art Unit

2615

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 March 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14 and 37-43 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-14 and 37-43 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 18 March 1999 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Election/Restrictions

1. Applicant's election without traverse of Group I, claims 1-14 and 37-43 in Paper No. #8 is acknowledged.

Specification

2. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-2, 4-5, 9-10, 13, 37-39, and 42 are rejected under 35 U.S.C. 102(e) as being anticipated by Suga et al ('426 B1).

Regarding claim 1, Suga et al discloses a recording/reproducing apparatus (Fig. 8) comprising:

image pickup means (image sensing device 402 of Fig. 8, col. 3, lines 20-40) for generating a picked-image signal;

first writing means (memory 406 of Fig. 8, col. 3, lines 20-40) for writing the picked-image signal on a first recording medium;

reading means (memory 406 of Fig. 8, col. 3, lines 20-40) for reading an image from said first recording medium;

second writing means (recording medium 421 of Fig. 8, col. 3, lines 20-40) for writing the image signal read by said reading means on a second recording medium; and

control means (system controller 500 of Fig. 8, col. 3, lines 41-52) for controlling recording/reproducing between said first and second recording mediums.

Regarding claim 2, Suga et al discloses the claimed identification-information detecting means (col. 4, lines 5-25 and col. 6, lines 7-67) for detecting identification information of the image signal read from said first recording medium; wherein

Said control means performs control in accordance with detected identification information (col. 6, lines 7-67).

Regarding claim 4, Suga et al discloses the claimed wherein said control means performs control to cause said reading means to collectively read image signals and said second writing means to collectively write the image signals on said second recording medium (col. 6, lines 7-67 and Fig. 11).

Regarding claim 5, Suga et al discloses the claimed wherein said second writing means is able to write the picked-image signal on said second recording medium (col. 6, lines 7-67 and Fig. 11).

Regarding claim 9, Suga et al discloses the claimed wherein said second recording medium is a memory card (col. 3, lines 41-52).

Art Unit: 2615

Regarding claim 10, Suga et al discloses the claimed wherein said control means is able to switch the mode between a first mode in which said reading means collectively reads image signals and said second writing means collectively writes the read image signals on said second recording medium and a second mode in which said reading means reads image signals one by one said second writing means, one by one, writes the read image signals on said second recording medium (col. 6, lines 7-67).

Regarding claim 13, Suga discloses all the features of the instant invention as discussed in claim 1 above including converting means (signal processing circuit 404 and compression circuit 405 of Fig. 8, col. 3, lines 20-40) for subjecting the signal read by reading means to a predetermined conversion process.

Method claims 37-39 are rejected for the same reasons as discussed in apparatus claims 1-2 and 10 above.

Method claim 42 is rejected for the same reasons as discussed in apparatus claim 13 above.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 3, 6-8, 14, and 43 are rejected under 35 U.S.C. 103(a) as being unpatentable over Suga et al ('426 B1).

Art Unit: 2615

Regarding claim 3, Suga et al discloses all the features of the instant invention as discussed in claim 1 above except for providing identification-information recording means for recording identification information together with the picked-image signal on said first recording medium.

The capability of recording identification signals along with the image signals in camcorder for identifying whether the image is still mode or sequential mode (motion mode) is old and well known in the art and therefore Official Notice is taken.

It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the well known capability of recording id signals along with the image signal to identify whether the image is still mode or moving mode into Suga et al's system in order to accurately reproducing or processing the video signal recorded on the recording medium.

Regarding claim 6, Suga et al discloses all the features of the instant invention as discussed in claim 5 above except for providing that the video signal is interlaced-video signal.

Using video camera for generating interlaced video signal is also old and well known in the art and again Official Notice is taken.

It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the well known interlaced video camera into Suga et al's system since it merely amounts to selecting an alternative video camera or to display the video signal on the conventional television receiver.

Art Unit: 2615

Regarding claim 7, Suga et al discloses all the features of the instant invention as discussed in claim 1 above except for providing wherein said first recording medium is a tape-shape recording medium.

The capability of using tape-shape recording medium for storing video signal is old and well known in the art and Official Notice is taken.

It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the well known tape-shape recording medium into Suga et al's system in order to increase storage capacity of the recording medium because conventional tape-shape recording medium has larger storage capacity than the memory card.

Regarding claim 8, Suga et al discloses all the features of the instant invention as discussed in claim 1 above except for providing wherein said second recording medium is a disc.

The capability of recording video signal on the disc is old and well known in the art and again Official Notice is taken.

It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the well known disc into Suga et al's system in order to increase the storage capacity because disc has larger storage capacity than the memory card.

Regarding claim 14, Suga et al discloses all the features of the instant invention as discussed in claim 13 above except for providing wherein said converting means converts the image signal read by said first reading means to be adaptable to a

Art Unit: 2615

PCMCIA I/O or PCMCIA ATA I/F to supply the converted image signal to said second writing means.

The capability of using PCMCIA I/O or PCMCIA ATA I/F for camera interface is old and well known in the art and Official Notice is again taken.

It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the well known PCMCIA I/O or PCMCIA ATA I/F into Suga et al's system since it merely amounts to selecting an alternative equivalent camera interface or increase the quality and speed of the image signal to be transmitted.

Method claim 43 is rejected for the same reasons as discussed in apparatus claim 14.

7. Claims 11-12 and 40-41 are rejected under 35 U.S.C. 103(a) as being unpatentable over Suga et al ('426 B1) in view of Kawamura et al ('929).

Regarding claim 11, Suga et al discloses all the claimed invention as discussed in claim 1 above except for providing wherein said control means causes said second writing means to interrupt writing an image signal on a second recording medium when said second recording medium is filled to capacity and communicates that said second recording medium has been filled to capacity.

Kawamura et al teaches a solid-state camera having controller for displaying a warning indicating that photographing cannot be performed because no memory capacity remains and prohibits photographing (col. 4, line 60 to col. 5, line 12) so that the user can perform photographing operation by checking whether photographing can be performed and performing a necessary display or warning.

Art Unit: 2615

It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the capability of checking whether photographing can be performed based on the remaining capacity of the recording medium as taught by Kawamura et al into Suga et al's system in order to accurately recording the desired captured video image by automatically checking whether photographing can be performed and performing a necessary display or warning as taught by Kawamura et al.

Regarding claim 12, Kawamura et al further discloses the claimed wherein said control means causes said second writing means to restart writing when said second recording medium has been changed in a state in which writing on said second recording medium has been interrupted because said second recording medium has been filled to capacity and said changed second recording medium has an empty capacity (col. 4, line 60 to col. 5, line 12).

Method claims 40-41 are rejected for the same reasons as discussed in apparatus claims 11-12 above.

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

The cited reference relates to an electronic still video system.

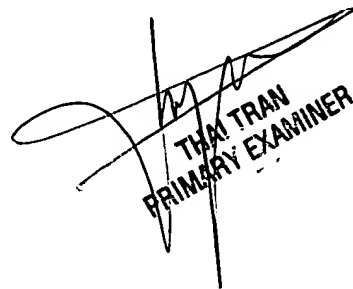
9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thai Tran whose telephone number is (703) 305-4725. The examiner can normally be reached on Mon. to Friday, 8:00 AM to 5:30 PM.

Art Unit: 2615

The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9314 for regular communications and (703) 872-9314 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.

TTQ
May 28, 2003


THA TRAN
PRIMARY EXAMINER